

## Objections/Replies/Responses/Consent to Motions/Notices

This lesson explains how to file an objection, reply or response to a motion, application or notice (such as notice of intent to sell or notice of abandonment). In addition, if a party consents to a motion/application/notice, this event should be used to record this consent on the case docket, without requiring a written pleading.

Within the Objection/Response category, there are three types of objection/response choices. Each is unique to the type of matter being responded to – (1) motion/application; (2) notice; (3) other (this would be used to respond to a court's order to show cause or any other document not filed as a motion/application or notice. In order to link the type of document being responded to (motion/notice/order), you must make the correct selection from this first menu screen.

The example used is an objection to a Motion for Relief from Stay.

**STEP 1** Click the **Bankruptcy** hyperlink on the ECF Main Menu (See Figure 1)

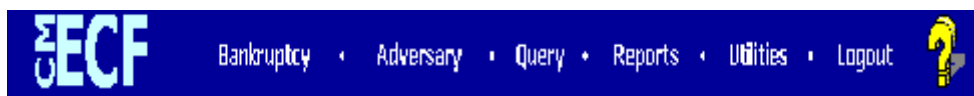


Figure 1

**STEP 2** The **Bankruptcy Events** screen displays.

' Click the **Objection/Response** hyperlink

**STEP 3** **Three types of objection/response choices** appear.

- # Reference an **Existing motion/application**
- # Objection/Response to **Existing Notice**
- # **Other** Objection/Response (*used to reply to a court order*)

Since in our example we are objecting to a Motion to Relief from Stay,

' Click the **Reference an Existing motion/application** hyperlink.

**STEP 4** The **Case Number** screen displays

- ' Enter the correct case number, including the hyphen.
- ' Click [**Next**]

**STEP 5** A Drop Down box screen appears to select the type of response being filed.

- # Consent (*no document filed*)
- # Objection
- # Reply
- # Response

In our example, we are filing an Objection to the M/RFS.

- ' Highlight **Objection** on the drop down menu screen
- ' Click [**NEXT**]

**STEP 6** Joint Filing with Other Attorney(s), place a checkmark in the box for yes and click [**NEXT**], if no, just click [**NEXT**]

- K** *TIP - If the joint filer's name is not listed in the pick list, they will need to file a notice of appearance in the case and then their name will appear in the pick list.*

**STEP 7** The **PARTY SELECTION** screen displays

- ' Select the party you are representing from the list
- ' Click [**NEXT**]
- ' Skip forward to **STEP 11**
- ' If the party is **not listed** in the case, add them to the case.
- ' Click the **Add/Create New Party** hypertext link

**STEP 8**      The **SEARCH FOR PARTY** screen displays

- '      Enter the last or business name to begin a search for the party to be added.
- '      Click the **[SEARCH]** button.

**STEP 9**      The **PARTY SEARCH RESULTS** screen displays

- '      Highlight the correct party name, verify the address and click **[Select name from list]** button;
  - <      The **PARTY INFORMATION** screen displays
  - <      Click the **Role** type down arrow and select the appropriate type.
  - <      Click the **[Submit]**
- '      If the party is not included in the database, click the **[Create New Party]** button
  - <      Enter the party's full name. All other information is optional.
  - <      Click the **Role** type down arrow and select appropriate type.
  - <      Click the **[Submit]** button.

**STEP 10**     The **PARTY SELECTION** screen displays again.


- '      The party name is pre-selected
- '      Click the **[Submit]** button

**STEP 11**     The **PARTY ASSOCIATION** screen displays

- '      Click the association check box to create a link between you and the filing party.
- '      Click the **[Submit]** button.

**STEP 12**     The **CERTIFICATE OF SERVICE** screen displays

- ' If the certificate of service is attached to the Objection, insert a “y” in the text box.
  - ' *TIP - Always use lowercase letters to complete this field. Uppercase letters will be interpreted as a No, and a deadline for the certificate of service will be set.*
- ' If the certificate of service is not attached to the Objection, insert an “n” in the text box.
  - < A warning screen will display as follows:


  - < Next, a **48 Hour Deadline will be set for the filing of the Certificate of Service (COS)**. No other notice will be sent and failure to file the COS within the 48 hours will result in the Objection being stricken from the record.

**STEP 13** The **PDF DOCUMENT SELECTION** screen displays

- ' Click **[BROWSE]**, then navigate to the directory where the appropriate PDF file is located or type in the full directory and file path
- ' To verify that this is the appropriate document, highlight the document name
  - < Right click with your mouse.
  - < Select **open** to view the document
  - < Click **X** in the upper-right corner to exit
  - < If correct, click the **open** button on the **choose file** screen to select it
- ' Select **y** at **Attachments to Document** when a proposed order will be submitted
  - < The **Attachment Selection** screen displays (*screen appears only when answering yes to attachments to documents*)
  - < Click **Browse** to locate the attachments

**K**            ***TIP - If your document is larger than 4.0 MB in size, an error message is displayed. The document must be broken down into smaller parts and each part attached. 4.00 MB equals approximately 1200 pages typed in Word or WordPerfect and converted to a PDF document. 4.00 MB equals approximately 100 scanned pages. For Instructions in breaking apart an imaged document, refer to the **Modification of PDF Images** section of this Manual.***

- <        From within the **Type** list of options, select the most applicable type.
- <        Click **Add to List**. The attachment name and location displays.
- <        Continue this process until all attachments are added.
- <        Click the **[NEXT]** button.

**STEP 14**        The **EVENTS CATEGORY** screen displays

- '        Select the category of document you are responding/objection to. *For example, when objecting to a motion, select the motion category. When a specific category is not appropriate, choose misc. The misc. category provides a generic list of events. To search all categories, highlight the entire menu list.*
- <        To narrow your search through pending events, you may enter the filed date for the motion in the **Filed** fields and/or enter the docket number for the motion in **Documents** fields, when they are known.
- '        Click the **[Next]** button

**STEP 15**        The **ANSWER TO A MOTION** screen displays

- '        Select the appropriate docket event. This is the event being objected to.
- '        Click the **[NEXT]** button.

**STEP 16**        The **MODIFY TEXT** screen displays

- '        A drop down box appears at the beginning of the docket text screen to allow the filer

to further describe the type of filing (*ie agreed, amended, first, second, final*), if appropriate

- ' Enter any required text in the free text box.
- ' Verify the accuracy of information
- ' Click the [**Next**] button

**STEP 17** The **FINAL TEXT** screen displays

- ' Verify the accuracy of the text
- ' Use the **Back** browser button when corrections must be made
- ' Clicking on Bankruptcy or any menu option aborts the entry
- ' If the information is correct, click the [**Next**] button.

**STEP 18** The **Notice of Electronic Filing** screen displays

- ' Click **Print** on the browser button to print a copy of the notice for your records (Optional)